

## **Attachment 13**

### **TruGreen Payroll Documents Showing Yaphank, N.Y. Workers Paid on Compensation Plan Not By The Hour**

**Source: TruGreen Document Production  
August 2007**

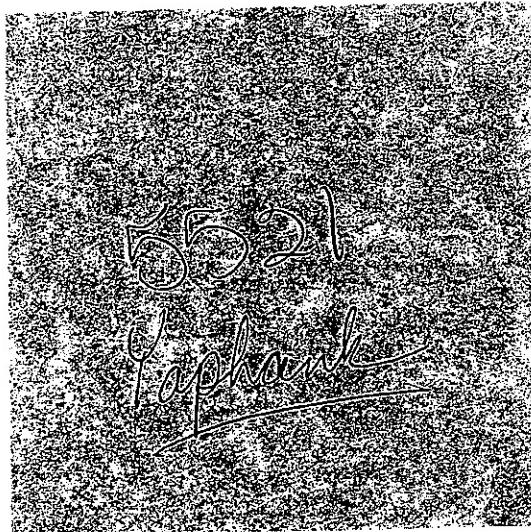
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~~██████████~~  
Yaphank  
~~██████████~~  
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CONFIDENTIAL  
TRU 09087

2003

HQB



CONFIDENTIAL  
TRU 09088

PAGE - 0001  
PAY233TruGreen\*ChemLawn  
BRANCH PAYROLL POSTING REGISTER

8/25/03 17:41:48  
 Company: 1 TruGreen\*ChemLawn  
 Division: 056 New England Division  
 Region: 04 New York Region  
 Branch: 4521 Long Island

SSN	Employee Name	Week	Job Code	Dot/LD	H/S/B	Rate/ Sal/Base.	Tmp	MON	TUES	WED	THUR	FRI	SAT	TOTAL	Gross Pay
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**[REDACTED]** EDGAR GIBR G NARANJO  
**[REDACTED]** JULIO G VINCENT

34- 8/23 7200 1/7102 BAS  
 34- 8/23 7200 1/7102 BAS

|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|

**[REDACTED]** OSCAR G VINCENT  
**[REDACTED]**

|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|

**[REDACTED]** JOSE D HERNANDEZ  
**[REDACTED]** AUGUSTIN L ZAVALA

|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|

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TRU 09089



PAGE - 0001  
PAY233TruGreen\*ChemLawn  
BRANCH PAYROLL POSTING REGISTER

Company:	Division:	Region:	Branch:	Employee Name	Week	Job Code	Dpt/LD	H/B	Rate/ Sal/Base	Tmp	MON	TUES	WED	THUR	FRI	SAT	TOTAL	Gross Pay
10/20/03 14:47:16	TruGreen*ChemLawn New England Division 056 04 New York Region 4521 Long Island			AUGUSTIN L ZAYALA	42-10/18 7200 1/7102 BAS	475.20	11.44	8.75	8.29	8.85	8.05	6.75	52.13	544.82				
	EDGAR GIBR G NARANJO JULIO G VINCENT				42-10/18 7200 1/7102 BAS 42-10/18 7200 1/7102 BAS	460.00 460.00	11.44 11.30	8.75 11.27	8.29 9.82	8.85 9.55	7.72 7.90	6.75 7.05	51.80 56.89	525.21 562.54				
	OSCAR G VINCENT				42-10/18 7200 1/7102 BAS	460.00	11.30	11.27	11.29	11.27	10.07	9.30	64.50	582.67				

\*\*Salaried employees amounts are not included in totals.\*\*

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43-10/25	7200	1/7102	BAS	475.20	9.05	9.05	9.75	9.20	9.39
43-10/25	7200	1/7102	BAS	475.20	9.05	9.05	9.75	9.20	9.39
EDGAR GIBR G NARANJO	460.00	9.07	9.05	9.75	9.20	9.39	7.15	53.61	591.11
JULIO G VINCENT	460.00	7.59	10.52	9.44	11.57	6.60		45.72	488.78
OSCAR G VINCENT	460.00	8.17	11.34	10.72	11.55	11.62	7.10	60.50	667.35

\*\*Salaried employees amounts are not included in totals.\*\*

CONFIDENTIAL  
TRU 09095

A13-7

2004  
HQB

CONFIDENTIAL  
TRU 09105

AGE - 0001  
PAY233

**TrueGreen® ChemLawn  
BRANCH PAYROLL POSTING REGISTER**

41/29/04 15:33:49

Company: TruGreen\*Chemlawn  
Division: New England Division  
Region: New York Region  
Branch: Long Island

RODRIGUEZ GONZALEZ, JUAN  
48-111227 7010 1/1/102 BAS  
542-80  
8-30 6-30 -7-30 8-00 -7-30 7-30 45-30 738-29

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\*\*Salaried employees amounts are not included in totals.\*\*

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TRU 09106

A13-9

\*\*\*Salaried employees amounts are not included in totals.\*\*

CONFIDENTIAL  
TRU 09109

A13-10

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PAY233

Employee Name	SSN	Week	Job Code	Dept/ID	H/S/B	Rate/ Sal/Base	Emp	MON	TUE	WED	THUR	FRI	SAT	SUN	Gross Pay	
<b>RODRIGUEZ GONZALEZ JULALIO</b>		51-12718-7010	1/7102	BAS	542.80	8.00									16.00	542.80

Hours Worked (Minutes)

16.00

\* \$SALARY\*

(HOURS)

TOTAL:

Department 5 LAWN COMMERCIAL SIS

(HOURS)

TOTAL:

\*\*Salaried employees amounts are not included in totals.\*\*

**CONFIDENTIAL**  
**TRU 09113**

10/04/04 16:19:52 TruGreen\*ChemLawn  
 Company: L TruGreen\*ChemLawn  
 Division: 056 New England Division  
 Region: 04 New York Region  
 Branch: 4521 Long Island

SSN [REDACTED] Employee Name GERARDO M LOPEZ  
 Week 40-10702 Job Code 7010 H/Rate/  
 177102 BAS S/B 543.20 Tmp Sal/Base  
 10.90 11.65 11.47 11.59 MON 10.57 FRI 10.90  
 67.00 67.00 TUES 11.65 SAT 11.59 THUR 11.47  
 67.00 67.00 TOTAL 67.00 67.00 67.00  
 Gross Pay 725.95

TruGreen\*ChemLawn  
 BRANCH PAYROLL POSTING REGISTER

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 PAY233

[REDACTED] AGUSTIN ZAVALA

40-10/02 7200 1/7102 BAS 542.80 10.79 10.84 11.55 9.97 10.02 7.49 60.66 1334.54

[REDACTED] EULALIO GONZALEZ RODRIG  
 ANTONIO VELAZQUEZ RANGE

40-10/02 7010 1/7102 BAS 542.80 10.99 13.32 12.09 12.82 12.94 9.09 71.25 773.08  
 40-10/02 7010 1/7102 BAS 542.80 11.67 12.80 11.79 12.80 11.65 10.99 71.70 812.62

CONFIDENTIAL  
 TRU 09116

A13-12

10/11/04 13:57:39  
 Company: 1 TruGreen\*ChemLawn  
 Division: 056 New England Division  
 Region: 04 New York Region  
 Branch: 4521 Long Island

SSN [REDACTED] Employee Name 41-10709 GERARDO M LOPEZ

Week	Job Code	DPT/LD	H/ S/B	Rate/ Sal/Base	Hours Worked (Decimal)	TUE	WED	THUR	FRI	SAT	TOTAL	Gross Pay
	177102	7010	BAS	543.20	TT:47	9.84	11.89	11.55	11.47	9.87	66.09	681.29
41-10709 7200 1/7102 BAS					10:12	9:49	9:24	9:59	9:04	7:94	55:52	1116:46
<b>[REDACTED] RUGUSTIN ZAVALA</b>												
<b>[REDACTED] EULALIO GONZALEZ RODRIG</b>	41-10709 7010 1/7102 BAS			542.80	11:57	8:52	11:19	11:62	13:10	10:17	66:17	757:84
<b>[REDACTED] ANTONIO VELAZQUEZ RANGE</b>	41-10709 7010 1/7102 BAS			542.80	12:77	8:44	12:30	12:04	11:57	10:54	67:76	725:51

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TRU 09122

A13-13

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PAY233

TruGreen*Chemlawn BRANCH PAYROLL POSTING REGISTER															
Company:	1	16:57:22	TruGreen+ChemLawn												
Division:	056		New England	ChemLawn											
Region:	04		New York Region												
Branch:	4521		Long Island												
SSN	Employee Name	Week	Job	H/ Code	Rate/ S/B	Sal/ Base	Temp	MON	TUES	WED	THUR	FRI	SAT	TOTAL	Gross Pay
██████████	GERARDO M LOPEZ	30-	7/24	7010	177102	BAS	543.20	12.00	10.75	12.00	11.50	10.00	67.25	653.25	
██████████	CHRISTIAN SOTO	30-	7/24	7010	1/7102	BAS	543.20	12.50	12.75	12.00	12.50	8.25	58.00	627.49	
██████████	ALBERTO ROSALES	30-	7/24	7010	1/7102	BAS	543.20	12.00	12.00	12.50	12.00	8.00	56.50	622.52	

██████████ AUGUSTIN ZAVALA	30- 7/24 7200 1/7102 BAS	542.80	9:00 8:25 9:00 8:25 11:00 6:00	51.50 1158.50
██████████	30- 7/24 7200 1/7102 BAS	542.80	12.25 12.00 12.00 11.50 10.50 11.00	69.25 701.72
██████████	30- 7/24 7010 1/7102 BAS	542.80	12.50 12.50 12.00 11.00 12.75 10.25	71.00 661.30
██████████	30- 7/24 7010 1/7102 BAS	542.80	12.25 12.00 12.00 11.50 10.50 11.00	69.25 701.72

CONFIDENTIAL  
TRII 09126

A13-14

2004  
HQB

CONFIDENTIAL  
TRU 09138

Company: TruGreen\*ChenLawn  
Division: Northeast Division  
Region: New York Region  
Branch: Long Island

BRANCH PAYROLL POSTING REGISTER

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PAY233

CELSO A. AVILA	16-	4/22	7200	1/7102	BAS	600.00	10.00	10.52	11.02	11.32	11.26	10.43	65.35	736.72
EULALIO R. GONZALEZ	16-	4/22	7200	1/7102	BAS	600.00	9.30	10.24	9.30	10.30	10.50	10.50	58.54	696.26
CLAUDIO SANTIAGO	16-	4/22	7200	1/7102	BAS	600.00	9.53	10.40	11.14	10.01	10.56	10.05	62.49	718.45
DANIEL G. VARGAS	16-	4/22	7200	1/7102	BAS	600.00	9.30	9.30	11.00	11.30	10.30	9.30	61.30	704.87
JOSE S. JUAREZ	16-	4/22	7200	1/7102	BAS	600.00	11.47	12.52	12.24	11.27	12.29	11.24	72.23	734.25
						600.00	9.30	9.30	10.30	10.30	10.30	10.00	61.30	710.76

CONFIDENTIAL  
TRU 09139

**Employee Name** Cesar Ayala**04/24/06**

\* Only complete yellow cells

Week Production Goal	3,750.00
Week Production Actual	494.00
Variance	-3,256.00
% To Goal	-86.83%
 Enter ---->	
Weekly Base Salary	600.00
Production Commission	0.00
Month Retention Bonus	0.00

**Sales & Pro**

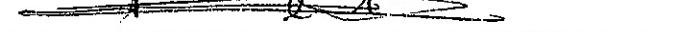
Audited Sales Sign-up	0.00	Sales Commission 15%	0.00
Sales Sign-up Pro Comm	0.00	Sales Pro Comm 5%	0.00
Bene Sales Pro Comm	0.00	Bene Pro Comm 10%	0.00
		<b>Sub-Pay</b>	600.00
		Hours	58.54
		Hourly	10.25
		OT	15.37
		Straight Hrs	<b>40.00</b>
		OT Hrs	18.54
		Straight Pay	409.98
		OT Pay	285.04
		<b>Total Pay</b>	<b>695.01</b>



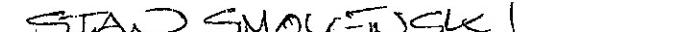
Employee Print Name:



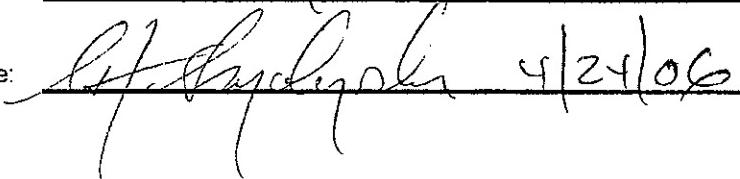
Employee Sign and Date:



Manger Print Name:



Manager Sign and Date:

CONFIDENTIAL  
TRU 09142

**Employee Name** Jose Juarez

04/24/06

\* Only complete yellow cells

Week Production Goal		3,750.00
Week Production Actual		3,220.00
	Variance	-530.00
	% To Goal	-14.13%
Enter ---->	Weekly Base Salary	600.00
	Production Commission	0.00
	Month Retention Bonus	0.00
<b>Sales &amp; Pro</b>		
0.00	Sales Commission 15%	0.00
0.00	Sales Pro Comm 5%	0.00
0.00	Bene Pro Comm 10%	0.00
	<b>Sub-Pay</b>	600.00
	Hours	61.30
	Hourly	9.79
	OT	14.68
	Straight Hrs	40.00
	OT Hrs	21.30
	Straight Pay	391.52
	OT Pay	312.72
	<b>Total Pay</b>	<b>704.24</b>

Employee Print Name: Inge Soleris Jerez

Employee Sign and Date:

Manger Print Name: STAN SMOLEWSKI

Manager Sign and Date:  4/28/06

**CONFIDENTIAL**  
**TRU 09146**

Employee Name Claudio Santiago

04/24/06

\* Only complete yellow cells

Week Production Goal	3,750 00
Week Production Actual	0.00
Variance	-3,750 00
% To Goal	-100 00%

Enter ---->	Weekly Base Salary	600.00
	Production Commission	0.00
	Month Retention Bonus	0.00

**Sales & Pro**

Audited Sales Sign-up	0.00	Sales Commission 15%	0.00
Sales Sign-up Pro Comm	0.00	Sales Pro Comm 5%	0.00
Bene Sales Pro Comm	0.00	Bene Pro Comm 10%	0.00
		Sub-Pay	600.00
		Hours	61.30
		Hourly	9.79
		OT	14.68
		Straight Hrs	40.00
		OT Hrs	21.30
		Straight Pay	391.52
		OT Pay	312.72
		Total Pay	704.24

Employee Print Name: Claudio SantiagoEmployee Sign and Date: 4/24/06Manger Print Name: STAN SMOLENSKIManager Sign and Date: STAN SMOLENSKI 4/24/06CONFIDENTIAL  
TRU 09150

Employee Name Jose Juarez

05/01/06

\* Only complete yellow cells

Week Production Goal	3,750.00
Week Production Actual	1,977.00
Variance	-1,773.00
% To Goal	-47.28%

Enter ---->	Weekly Base Salary	600.00
	Production Commission	0.00
	Month Retention Bonus	0.00

**Sales & Pro**

Audited Sales Sign-up	0.00	Sales Commission 15%	0.00
Sales Sign-up Pro Comm	0.00	Sales Pro Comm 5%	0.00
Bene Sales Pro Comm	0.00	Bene Pro Comm 10%	0.00
		<b>Sub-Pay</b>	600.00
		Hours	45.21
		Hourly	13.27
		OT	19.91
		Straight Hrs	<b>40.00</b>
		OT Hrs	5.21
		Straight Pay	530.86
		OT Pay	103.72
		<b>Total Pay</b>	<b>634.57</b>

Employee Print Name:

Employee Sign and Date:

Manger Print Name:

Manager Sign and Date:

CONFIDENTIAL  
TRU 09158

**Employee Name** CLAUDIO SANTAGO**05/01/06**

\* Only complete yellow cells

Week Production Goal	3,750.00
Week Production Actual	0.00
Variance	-3,750.00
% To Goal	-100.00%

Enter ---->	Weekly Base Salary	600.00
	Production Commission	0.00
	Month Retention Bonus	0.00

**Sales & Pro**

Audited Sales Sign-up	0.00	Sales Commission 15%	0.00
Sales Sign-up Pro Comm	0.00	Sales Pro Comm 5%	0.00
Bene Sales Pro Comm	0.00	Bene Pro Comm 10%	0.00
		<b>Sub-Pay</b>	600.00
		Hours	46.47
		Hourly	12.91
		OT	19.37
		Straight Hrs	40.00
		OT Hrs	6.47
		Straight Pay	516.46
		OT Pay	125.31
		<b>Total Pay</b>	<b>641.77</b>

9.00 COMM SALES  
650.77

Employee Print Name:

termed

Employee Sign and Date:

termed

Manger Print Name:

STAN SMOLENSKI

Manager Sign and Date:

STAN SMOLENSKI 05/01/06CONFIDENTIAL  
TRU 09161



**Employee Name** Daniel Vargus

11/06/06

\* Only complete yellow cells

Week Production Goal	4,500.00
Week Production Actual	7,830.00
Variance	3,330.00
% To Goal	74.00%
Weekly Base Salary	600.00
Production Commission	133.20
Month Retention Bonus	0.00

Sales & Pro

Audited Sales Sign-up	0.00	Sales Commission	15%	0.00
Sales Sign-up Pro Comm	0.00	Sales Pro Comm	5%	0.00
Bene Sales Pro Comm	0.00	Bene Pro Comm	10%	0.00
		<b>Sub-Pay</b>		733.20
		Hours		54.57
		Hourly		13.44
		OT		20.15
			<b>Straight Hrs</b>	<b>40.00</b>
			OT Hrs	14.57
			<b>Straight Pay</b>	<b>537.44</b>
			OT Pay	293.64

Employee Print Name:

Employee Sign and Date:

Manger Print Name:

Manager Sign and Date:

**CONFIDENTIAL**  
**TRII 09166**

**Employee Name** Augustin Zavalla**11/24/06**

\* Only complete yellow cells

Week Production Goal	3,600.00
Week Production Actual	3,942.00
Variance	342.00
% To Goal	9.50%

<b>Enter ----&gt;</b>	Weekly Base Salary	600.00
	Production Commission	6.84
	Month Retention Bonus	0.00

<b>Sales &amp; Pro</b>			
Audited Sales Sign-up	0.00	Sales Commission 15%	0.00
Sales Sign-up Pro Comm	0.00	Sales Pro Comm 5%	0.00
Bene Sales Pro Comm	0.00	Bene Pro Comm 10%	0.00
		<b>Sub-Pay</b>	606.84
		Hours	43.04
		Hourly	14.10
		OT	21.15
		Straight Hrs	40.00
		OT Hrs	3.04
		Straight Pay	563.98
		OT Pay	64.29
		<b>Total Pay</b>	<b>628.27</b>

Employee Print Name: \_\_\_\_\_

Employee Sign and Date: \_\_\_\_\_

Manger Print Name: STAN SMOLEWSKIManager Sign and Date: STAN SMOLEWSKI 11/24/06CONFIDENTIAL  
TRU 09174

Employee Name Pedro Martinez

11/24/06

\* Only complete yellow cells

Week Production Goal	3,600.00
Week Production Actual	5,619.00
Variance	2,019.00
% To Goal	56.08%

Weekly Base Salary	600.00
Production Commission	80.76
Enter ----> Month Retention Bonus	0.00

**Sales & Pro**

Audited Sales Sign-up	0.00	Sales Commission 15%	0.00
Sales Sign-up Pro Comm	0.00	Sales Pro Comm 5%	0.00
Bene Sales Pro Comm	0.00	Bene Pro Comm 10%	0.00
		Sub-Pay	680.76
		Hours	51.40
		Hourly	13.24
		OT	19.87
		Straight Hrs	40.00
		OT Hrs	11.40
		Straight Pay	529.77
		OT Pay	226.48
		Total Pay	756.25

Employee Print Name:

STAN SMOLENSKI

Employee Sign and Date:

Stan Smolenski 11/24/06

Manger Print Name:

STAN SMOLENSKI

Manager Sign and Date:

Stan Smolenski 11/24/06CONFIDENTIAL  
TRU 09176

**Employee Name** Eulalio Gonzalez

11/24/06

\* Only complete yellow cells

Week Production Goal	3,600.00
Week Production Actual	3,799.00
Variance	199.00
% To Goal	5.53%

	Weekly Base Salary	600.00
	Production Commission	3.98
Enter ---->	Month Retention Bonus	0.00

Sales & Pro

Audited Sales Sign-up	0.00	Sales Commission 15%	0.00
Sales Sign-up Pro Comm	0.00	Sales Pro Comm 5%	0.00
Bene Sales Pro Comm	0.00	Bene Pro Comm 10%	0.00

<b>Sub-Pay</b>	603.98
Hours	47.34
Hourly	12.76
OT	19.14

Straight Hrs 40.00  
OT Hrs 7 34

Straight Pay 510.33  
OT Pay 140.47

Total Pay: 650.80

(

Employee Print Name: \_\_\_\_\_

Employee Sign and Date: \_\_\_\_\_

Manger Print Name: STAN SMOLEWSKI

Manager Sign and Date: *[Signature]* 11/24/06

**CONFIDENTIAL**  
**TRU 09178**